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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|----------------------|------------------|
| 10/613,771 | 07/03/2003 | Yasushi Kasajima | 9319S-000512 | 7132 |
| 27572 | 7590 | 10/13/2006 | EXAMINER | |
| HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303 | | | CHEN, WEN YING PATTY | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2871 | |

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|---------------------------------|--|
| Office Action Summary | Application No. 10/613,771 | Applicant(s) KASAJIMA ET AL. | |
| | Examiner W. Patty Chen | Art Unit 2871 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-10, 15, 16, 20-27, 29 and 30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8, 15, 16, 20-27, 29 and 30 is/are allowed.
- 6) ☒ Claim(s) 9 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/24/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Applicant's Amendment filed Jul. 31, 2006 has been received and entered. Claims 1-7, 11-14, 17-19, 28 and 31-34 are cancelled per the Amendment filed, therefore, claims 8-10, 15-16, 20-27 and 29-30 remain pending in the current application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

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the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishino et al. (JP 2002-182199) in view of Iwabuchi et al. (US 2001/0011029).

With respect to claim 9: Nishino et al. disclose in Figure 1 a display device comprising:

a display unit for forming a predetermined display mode; and

a display switching unit overlapping the display unit at least in one portion, wherein the display switching unit includes first polarization component (element 14) selecting means, polarized-light transmitting axis changing means (element 3), and second polarization component selecting means (element 4) sequentially disposed from the display unit toward an observation side,

the first polarization component selecting means transmits a first polarization component and reflects a second polarization component having a polarization axis intersecting with a polarization axis of the first polarization component (Paragraph 0004),

the polarized-light transmitting axis changing means is switchable between a state of transmitting light after changing the first polarization component into the second polarization component and a state of transmitting light without substantially changing the polarization axis of the incident light (Paragraph 0003),

the second polarization component selecting means transmits one of the first polarization component and the second polarization component and absorbs or reflects the other polarization component, and

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the display unit emits the first polarization component for forming the display mode.

Nishino et al. fail to specifically disclose that the display unit is provided with a region not overlapping with the display switching unit.

However, Iwabuchi et al. teach in Figure 3 of forming a two panel display device (elements 11 and 12), such that one panel is smaller than the other, thus having a region of one of the panels not overlapping with the other.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to construct a display device as taught by Nishino et al. wherein the display unit can be made larger than the display switching unit, thus provide with a region not overlapping with the display switching unit as taught by Iwabuchi et al., since Iwabuchi et al. teach that the exterior display panel allows displaying of information without opening the casing of the displays (Paragraph 0060), thus, forming the exterior display smaller than the interior display helps in shielding majority of information displayed that can be viewed by onlookers.

With respect to claim 10: Nishino et al. disclose in Figure 1 a display device comprising:

a display unit for forming a predetermined display mode; and

a display switching unit overlapping the display unit at least in one portion, wherein the display switching unit includes first polarization component (element 14) selecting means, polarized-light transmitting axis changing means (element 3), and second polarization component selecting means (element 4) sequentially disposed from the display unit toward an observation side,

the first polarization component selecting means transmits a first polarization component and reflects a second polarization component having a polarization axis intersecting with a polarization axis of the first polarization component (Paragraph 0004),

the polarized-light transmitting axis changing means is switchable between a state of transmitting light after changing the first polarization component into the second polarization component and a state of transmitting light without substantially changing the polarization axis of the incident light (Paragraph 0003),

the second polarization component selecting means transmits one of the first polarization component and the second polarization component and absorbs or reflects the other polarization component, and

the display unit emits the first polarization component for forming the display mode.

Nishino et al. fail to specifically disclose that the display switching unit is provided with a region not overlapping with the display unit two dimensionally, where a plurality of pixels of a predetermined shape are arranged.

However, Iwabuchi et al. teach in Figure 3 of forming a two panel display device (elements 11 and 12), such that one panel is smaller than the other, thus having a region of one of the panels not overlapping with the other and that a plurality of pixels of a predetermined shape are arranged (it is obvious that the liquid crystal displays have a plurality of pixels of a predetermined shape in order for pictures or texts to be displayed as discussed in Paragraph 0060).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to construct a display device as taught by Nishino et al. wherein the display

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unit can be made larger than the display switching unit, thus provide with a region not overlapping with the display switching unit as taught by Iwabuchi et al., since Iwabuchi et al. teach that the exterior display panel allows displaying of information without opening the casing of the displays (Paragraph 0060), thus, forming the exterior display smaller than the interior display helps in shielding majority of information displayed that can be viewed by onlookers.

Allowable Subject Matter

Claims 8, 15-16, 20-27 and 29-30 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 8: Nishino et al. disclose in Figure 1 a display device comprising:

a display unit for forming a predetermined display mode; and

a display switching unit overlapping the display unit at least in one portion, wherein the display switching unit includes first polarization component (element 14) selecting means, polarized-light transmitting axis changing means (element 3), and second polarization component selecting means (element 4) sequentially disposed from the display unit toward an observation side,

the first polarization component selecting means transmits a first polarization component and reflects a second polarization component having a polarization axis intersecting with a polarization axis of the first polarization component (Paragraph 0004),

the polarized-light transmitting axis changing means is switchable between a state of transmitting light after changing the first polarization component into the second polarization

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component and a state of transmitting light without substantially changing the polarization axis of the incident light (Paragraph 0003),

the second polarization component selecting means transmits one of the first polarization component and the second polarization component and absorbs or reflects the other polarization component, and

the display unit emits the first polarization component for forming the display mode.

However, Nishino et al. fail to disclose that the display switching unit is provided with a region including the first polarization component selecting means and a region including a third polarization component selecting means for transmitting the first polarization component and for absorbing the second polarization component.

Therefore, claim 8 is deemed non-obvious and inventive over the prior art and thus is allowed.

Regarding claim 15 (Amended): None of the prior art of record either alone in combination fairly teach or suggest a display device wherein the display switching unit is provided with a region including the first polarization component selecting means and a region including a third polarization component selecting means for transmitting the first polarization component and for absorbing the second polarization component.

Therefore, claim 15 is deemed non-obvious and inventive over the prior arts.

As to claims 16, 20-27 and 29-30: since claims 16, 20-27 and 29-30 depend either directly or indirectly on the allowed claim 15, thus are also allowed.

Response to Arguments

Applicant's arguments along with the translated copy of the certified priority document, filed Jul. 31, 2006, with respect to the rejection(s) of claim(s) 9 and 10 in view of Tsuji (US 2003/0128316) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Iwabuchi et al. (US 2001/0011029).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to W. Patty Chen whose telephone number is (571)272-8444. The examiner can normally be reached on 8:00-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David C. Nelms can be reached on (571)272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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W. Patty Chen
Examiner
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WPC
10/11/06


ANDREW SCHECHTER
PRIMARY EXAMINER